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January 8, 2016

By ECF

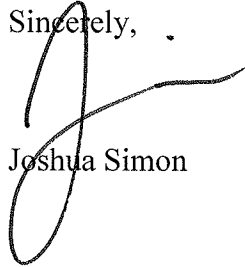
Honorable Keith Ellison
United States District Judge
515 Rusk Avenue, Courtroom 3A
Houston, Texas 77002

Re: *North Cypress Medical Center Operating Co., Ltd. and North Cypress Medical Center Operating Company GP, LLC vs. Cigna Healthcare et al.*,
C.A. No. 4:09-cv-02556

Dear Judge Ellison:

Our firm, along with Alan Harris, represents Cigna in the above-referenced action. I write in response to Plaintiffs' counsel's letter to Your Honor on January 7, 2016, asking for Your Honor to enter an order requiring Cigna's expert, Dr. Sean May, to submit his expert report prior to Cigna's deposition of North Cypress's expert, Glenda Tankersley. To give Your Honor some background, prior to receiving Ms. Tankersley's updated expert report on December 1, 2015, Cigna and Dr. May had serious doubts about their ability to rebut Ms. Tankersley's report without deposing her first, due to the brevity and ambiguities in her original five page report served on June 27, 2012. Your Honor agreed to review Ms. Tankersley's updated report and decide whether Cigna would file an expert report prior to deposing Ms. Tankersley or afterwards. Since receiving Ms. Tankersley's report on December 1, 2015, Dr. May has been working through Ms. Tankersley's updated report, and while he still has significant questions about the methodologies and opinions in the report, Dr. May will be in a position to produce a rebuttal expert report to Plaintiffs' counsel no later than January 20, 2016, without the need for Cigna to first depose Ms. Tankersley.

Sincerely,



Joshua Simon

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CC: Douglas Sutter
Frank Holozubiec
Warren Haskel
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Richard Nicholson
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